

Remarks/Arguments

This application has been reviewed in light of the Office action dated September 24, 2004. Claims 1-20 are pending in the application. By the present amendment, claims 9 and 20 have been amended. The specification has been amended to correct typographical errors in the reference numerals of Figure 3. No new matter has been added. The Examiner's reconsideration of the rejection in view of the amendments and the following remarks is respectfully requested.

By the Office Action, the drawings were objected to as failing to comply with 37 C.F.R. 1.84(p)(5) because they include the following reference characters not mentioned in the description. In response, Applicant has amended the specification to correct the pertinent reference characters, which were incorrect due to unintentional typographical errors. Accordingly, withdrawal of the objection is respectfully requested.

Claims 1-16 and 18-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,047,327 to Tso et al. (hereinafter Tso). The Applicant respectfully disagrees with the rejection.

Tso provides a system and method for **automatic** distribution of information to different users based on a set of selected criteria. In Tso, items of information are sent to InfoCast servers and consist of a data file containing one or more separate articles, or a video/audio feed. For each item contained in an InfoCast, an "InfoBite" is created. A resource controller 61 is responsible for filtering the InfoBites that are sent to a user based upon the user's profile.

Instead of relying on the efforts by a user to find and retrieve information, Tso independently and automatically initiates the process for sending information to users without any user request for such information. Indeed, in Col. 1, lines 53-58, Tso states: "The system according to the present invention has the advantage of allowing information and content providers to take an active role in the distribution of information. Another advantage of the system is that it allows information providers to target particular audiences for receiving information and advertisement."

Such unsolicited, "targeted" dissemination of information to users is wholly counter to the focus, system and method of the present invention, since Tso's concept of "targeted advertising" often results in users receiving excessive information that is unwanted, as the content providers often send any and all information related in any way to the user's perceived and actual interests. As Tso's system sends out information automatically (i.e., without any

affirmative request from the user), its main goal is to give the content provider control in the dissemination of information.

Instead of the "pushing out" of information from content providers onto targeted users as disclosed in Tso, the present invention instead embraces the opposite concept: the "pulling in" of requested information voluntarily and proactively by a user. The present invention is thus a cooperative, genuinely interactive system wherein information is solicited and attained by the user, (not merely disseminated by a content provider as in Tso) and the attainment of information is fully initiated, requested and controlled by the user.

Applicant has amended claims 1, 9 and 20 in an effort to further highlight these differences between Tso and the present invention. Careful review of Tso reveals that Tso fails to disclose or suggest at least wherein providing of information/content/search results to a mobile terminal is initiated in response to a request for information, essentially as claimed in claims 1, 9 and 20.

Applicant acknowledges decision step 111 of FIG. 5 in Tso, which recites wherein a user may make a further request for information. This step is distinguished from the present invention in that such a user request is only permitted and acknowledged in Tso **after** the user has already received unsolicited information and desires further details, i.e., it refers to the user requesting additional details regarding information **already** disseminated to the user, i.e., in an unsolicited InfoBite. This step does not initiate the process of attaining information, as disclosed and claimed in the present invention.

Please note that the present invention does not rely on the initial automated dissemination of information to a user in order to recognize and respond to a user request for information. Instead, the present invention is user-driven, and needs a user request for information to commence its process of providing information.

Accordingly, claims 1, 9 and 20 are believed to be in condition for allowance for at least the reasons stated. Claims 2-8 depend from and include all the limitations of claim 1 and 10-16 and 18-19 depend from and include all the limitations of claim 9; thus the dependent claims are believed to be allowable for at least the reasons stated above for claims 1 and 9. Reconsideration is earnestly solicited.

By the office action, claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over Tso in view of U.S. Patent Application No. 2002/0098832 to Fleischer et al. (hereinafter Fleischer).

The rejection of claim 17 is based, in part, on the Examiner's contention that Tso discloses or suggests features of claim 9, from which such claim depends. Without addressing the specific rejection, however, it is clear that the combination of Tso and Fleischer is legally deficient since, at the very least, as explained above, Tso does not disclose or suggest the features of claim 9 from which claim 17 depends.

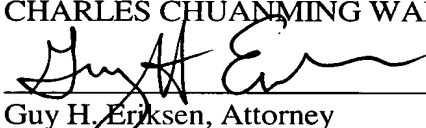
Accordingly, the withdrawal of all the rejections under 35 U.S.C. §102 and §103 is respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

No fees are believed to be due at this time. The office is hereby authorized to charge any additional fees which may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 07-0832.

Respectfully submitted
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